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# California Regional Water Quality Control Board

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Mr. Jim Bizzelle  
Pardee Homes  
1320 Flynn Road  
Camarillo, CA 93012

### CONDITIONAL CERTIFICATION FOR PROPOSED GEOTECHNICAL EXPLORATION ACTIVITIES WITHIN THE PLANNING AREA I RESIDENTIAL DEVELOPMENT PROJECT LOCATED IN UNINCORPORATED LOS ANGELES COUNTY, CALIFORNIA. PROJECT (CORPS' PROJECT NO. 2003-00759-AOA), SANTA CLARA RIVER, UNINCORPORATED, LOS ANGELES COUNTY (FILE NO. 03-034)

Dear Mr. Bizzelle:

Regional Board staff has reviewed your request on behalf of Pardee Homes for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on July 7, 2003.

I hereby certify that any discharge from **Geotechnical Exploration Activities** within the planning area I residential development project located in unincorporated, Los Angeles County, California, as proposed and described in Attachment A, if performed in accordance with all applicable water quality objectives, prohibitions, and policies set forth in the *Water Quality Control Plan, Los Angeles Region* (1994), and in accordance with the conditions specified in Attachment B, will comply with the applicable water quality standards and other appropriate requirements, including the provisions of Sections 301, 302, 303, 306, and 307 of the Clean Water Act.

The Applicant shall be liable civilly for any violations of this certification in accordance with the California Water Code. This certification does not eliminate the Applicant's responsibility to comply with any other applicable laws, requirements and/or permits.

Should you have questions concerning this certification action, please contact Ms. Parvaneh Khayat, Section 401 Program, at (213) 576-5733.

[Original Sign By:]

[August 6, 2003]

\_\_\_\_\_  
Dennis A. Dickerson  
Executive Officer

\_\_\_\_\_  
Date

### California Environmental Protection Agency

\*\*\*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption\*\*\*  
\*\*\*For a list of simple ways to reduce demand and cut your energy costs, see the tips at: <http://www.swrcb.ca.gov/news/echallenge.html>\*\*\*



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## ATTACHMENT A

### Project Information File No. 03-034

1. Applicant: Pardee Homes  
1320 Flynn Road  
Camarillo, CA 93012  
Phone: (805) 484-1054      Fax: (805) 482-5692
2. Applicant's Agent: Martin Rasnick  
Glenn Lukos Associated, Inc.  
29 Orchard  
Lake Forest, CA 92630  
Phone: (949) 837-0404      Fax: (949) 837-5834
3. Project Name: Geotechnical Exploration Activities within the planning area I residential development project located in unincorporated, Los Angeles County, California
4. Project Location: Unincorporated area, Los Angeles County  
Longitude: 118° 26' S" West to 118° 29' S" West;  
Latitude: 34° 26' S" North to 34° 28' S" North
5. Type of Project: Soil boring for proposed residential development
6. Project Description:  
*Purpose:*  
The purpose of this project is to collect geotechnical information that will be used to prepare the Project Environmental Impact Report.  
  
*Description:*  
All access roads shall be constructed immediately adjacent to the drainage but will not result in any dredge or fill material within the streambed. The applicant proposes to use the existing access roads to bring drill rigs and other equipment onto the site and utilize existing access roads to perform as much of the proposed work as is practicable, however in order to access canyon boring locations, excavation pit locations, and drill rig locations safely, temporary access roads must be built within other upland areas. A majority of the existing access roads have been constructed on top of the existing mountains since these areas offer the only safe passage throughout the site without performing additional grading in lower-lying areas.  
  
Geotechnical testing consists of three testing methods consisting of exploratory borings, exploratory excavation pits, and pads for drill

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### Project Information File No. 03-034

rigs.

Exploratory borings - Pardee's geological team will conduct drilling of temporary exploratory borings utilizing a bucket-auger drill rig that is 24 inches in diameter.

Exploratory test pits - Pardee's geological team will excavate temporary exploratory test pits with either a four-wheel drive or track-mounted backhoe or excavator. The team will excavate a trench, approximately 15 feet long and up to 17 feet deep, utilizing a 24-inch or 36-inch wide bucket.

Drilling Pads located within hillside terrain typically require the creation of a relatively level area that is roughly 40 feet long by 40 feet wide. Cut and fills on the order of five feet are typical, with cuts or fills of ten feet being less common other than in the steeper terrain.

- |  |   |
|--|---|
| 7. Federal Agency/Permit:  | U.S. Army Corps of Engineers<br>NWP No. 6 & 14 (Permit No. 2003-00759-AOA)  |
| 8. Other Required Regulatory Approvals:                              | California Department of Fish and Game<br>Streambed Alteration Agreement  |
| 9. California Environmental Quality Act (CEQA) Compliance:           | The proposed project is Categorically Exempt from CEQA pursuant to the CEQA Guidelines, Section 15306. The proposed project received approval of its Notice of Exemption from the Los Angeles County Clerk on July 2, 2003. |
| 10. Receiving Water:   | Santa Clara River (Hydrologic Unit No. 403.51)  |
| 11. Designated Beneficial Uses:                                      | MUN, IND, PROC, AGR, GWR, FRSH, REC-1, REC-2, WARM, WILD, RARE, WET   |
| 12. Impacted Waters of the United States:                            | Non-wetland waters (unvegetated streambed): 0.03 temporary acres  |
| 13. Dredge Volume:   | None  |
| 14. Related Projects Implemented/to be Implemented by the Applicant: | The Applicant has not identified any related projects carried out in the last 5 years or planned for implementation in the next 5 years.  |

## **ATTACHMENT A**

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15. Avoidance/  
Minimization  
Activities:

The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:

- Limited access routes and stabilized access points
- Stabilizing denuded areas as soon as possible with seeding, mulching, or other effective methods;
- Protecting adjacent properties with landscaped buffer strips, sediment barriers, or other effective methods;
- Delineating clearing limits, easements, setbacks, sensitive areas, vegetation, and drainage : courses by marking them in the field;
- Stabilizing and preventing erosion from temporary conveyance channels and outlets;
- Using sediment controls and filtration to remove sediment from water generated by dewatering ' or collected on site during construction;
- Scheduling grading for the dry season, if possible;
- Designating specific areas of the site, away from streams or storm drain inlets, fir storage, preparation, and disposal of building materials, chemical products, and wastes;
- Storing stockpiled materials and wastes under a roof of plastic sheeting;
- Storing containers of paint, chemicals, solvents, and other hazardous materials stored in containers under cover during rainy periods;
- Berming around storage areas to prevent contact with runoff;
- Covering open dumpsters securely with plastic sheeting, a tarp, or other cover during rainy periods;
- Routinely maintaining all vehicle and heavy equipment to avoid leaks;

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### Project Information File No. 03-034

- Performing major maintenance, repair, and vehicle and equipment washing off site, or in designated and controlled areas on site;
- Collecting used motor oil, radiator coolant, and other fluids with drip pans or drop cloths. Storing and labeling spent fluids carefully prior to recycling or proper disposal;
- Sweeping up spilled dry materials (cement, mortar, fertilizers, etc.) immediately- do not use water to wash them away;
- Cleaning up liquid spills on paved or impermeable surfaces using dry cleanup methods (e.g., absorbent materials, cat litter, rags) and dispose of cleanup materials properly;
- Clean up spills or dirt areas by digging up and properly disposing of the soil; and
- Keeping paint removal wastes, fresh concrete, cement mortars, cleared vegetation, and demolition wastes out of the gutter, streams, and storm drains by using proper containment and disposal.

16. Proposed  
Compensatory  
Mitigation:

The Applicant has proposed to restore all project-related impacts to pre-project conditions. All impacts will be mitigated by restoring all impact areas to their original contours through the application of a native upland and riparian seed mix within the impact areas.

17. Required  
Compensatory  
Mitigation:

*See Attachment B Conditions of Certifications, Additional Conditions for modifications and additions to the above proposed compensatory mitigation.*

## ATTACHMENT B

### Conditions of Certification File No. 03-034

#### STANDARD CONDITIONS

Pursuant to §3860 of Title 23 of the California Code of Regulations (23 CCR), the following three standard conditions shall apply to this project:

1. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to §13330 of the California Water Code and Article 6 (commencing with 23 CCR §3867).
2. This certification action is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR Subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. Certification is conditioned upon total payment of any fee required pursuant to 23 CCR Chapter 28 and owed by the Applicant.

#### ADDITIONAL CONDITIONS

Pursuant to 23 CCR §3859(a), the Applicant shall comply with the following additional conditions:

1. The Applicant shall submit to this Regional Board copies of any other final permits and agreements required for this project, including, but not limited to, the U.S. Army Corps of Engineers' Section 404 Permit and the California Department of Fish and Game's Streambed Alteration Agreement. **These documents shall be submitted prior to any discharge to waters of the state.**
2. Fueling, lubrication, maintenance, operation, and storage of vehicles and equipment shall not result in a discharge or a threatened discharge to waters of the state. At no time shall the Applicant use any vehicle or equipment which leaks any substance that may impact water quality. Staging and storage areas for vehicles and equipment shall be located outside of waters of the state.
3. No construction material, spoils, debris, or any other substances associated with this project that may adversely impact water quality standards, shall be located in a manner which may result in a discharge or a threatened discharge to waters of the state.

## **ATTACHMENT B**

### **Conditions of Certification**

**File No. 03-034**

4. The Applicant shall not conduct any construction activities within waters of the state during a rainfall event. The Applicant shall maintain a five-day (5-day) clear weather forecast before conducting any operations within waters of the state.
5. No activities shall involve wet excavations (i.e., no excavations shall occur below the seasonal high water table). A minimum 5-foot buffer zone shall be maintained above the existing groundwater level. If construction or groundwater dewatering is proposed or anticipated, the Applicant shall file a Report of Waste Discharge to this Regional Board and obtain any necessary NPDES permits/Waste Discharge Requirements prior to discharging waste. Sufficient time should be allowed to obtain any such permits (generally 180 days). If groundwater is encountered without the benefit of appropriate permits, the Applicant shall cease all activities in the areas where groundwater is present, file a Report of Waste Discharge to this Regional Board, and obtain any necessary permits prior to discharging waste.
6. All surface waters, including ponded waters, shall be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. If surface water diversions are anticipated, the Applicant shall develop and submit a Surface Water Diversion Plan to this Regional Board. The plan shall include the proposed method and duration of diversion activities, erosion and sediment controls, and a map or drawing indicating the locations of diversion and discharge points. The plan shall be submitted prior to any surface water diversions. If surface flows are present, then upstream and downstream monitoring for pH, temperature, dissolved oxygen, turbidity, and total suspended solids shall be implemented. These constituents shall be monitored on a daily basis during the first week of diversion activities, and then on a weekly basis, thereafter, until the in-stream work is complete. Results of the analyses shall be submitted to this Regional Board by the 15th day of each subsequent sampling month. A map or drawing indicating the locations of sampling points shall be included with each submittal. Diversion activities shall not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Any such violations may result in corrective and/or enforcement actions, including increased monitoring and sample collection.
7. The Applicant shall restore the proposed 0.03 acres of TEMPORARY IMPACTS to waters of the United States and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the state. Restoration shall include grading of disturbed areas to pre-project contours and revegetation with native species to the extent feasible. The Applicant shall implement appropriate Best Management Practices to control erosion and runoff from areas associated with this project.
8. The Applicant shall provide COMPENSATORY MITIGATION to offset the proposed temporal loss of 0.03 acres waters of the United States by creating or restoring riparian



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### Conditions of Certification File No. 03-034

habitat at a minimum 1:1 area replacement ratio (0.03 acres). As an alternative, the Applicant may provide adequate funding to a third party organization for the creation or restoration of a total of 0.03 acres of riparian habitat within waters of the United States/Federal jurisdictional wetlands. The mitigation site shall be located within the Santa Clara River Watershed to the extent feasible unless otherwise approved by this Regional Board. The location of the mitigation site shall be clearly identified on a map of suitable quality and shall be defined by latitude and longitude. This information shall be submitted to this Regional Board for approval prior to any disturbance within waters of the United States and shall include copies of any agreements made between the Applicant and a third party organization regarding compensatory mitigation efforts.

9. The Applicant shall submit to this Regional Board Annual Monitoring Reports documenting the success of all restoration and mitigation efforts, including, percent survival by plant species and percent cover. The reports shall include discussion of any monitoring activities and exotic plant control efforts. Representative photographs from designated stations shall be included in the reports. The reports shall be submitted by January 1<sup>st</sup> of each year for a period of five (5) years after planting.
10. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number 03-034. Submittals shall be sent to the attention of the Nonpoint Source Unit.
11. The Applicant shall have copies of this certification and all other regulatory approvals on site at all times, and all contractors employed by the Applicant shall be made aware of the conditions of this certification.
12. Any modifications of the proposed project may require submittal of a new Clean Water Act Section 401 Water Quality Certification application and appropriate filing fee.
13. *Enforcement:*
  - (a) In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under state law. For purposes of section 401(d) of the Clean Water Act, the applicability of any state law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification.
  - (b) In response to a suspected violation of any condition of this certification, the State Water Resources Control Board (SWRCB) may require the holder of any permit or license subject to this certification to furnish, under penalty of perjury, any technical or

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monitoring reports the SWRCB deems appropriate, provided that the burden, including costs, of the reports shall be a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.

- (c) In response to any violation of the conditions of this certification, the SWRCB may add to or modify the conditions of this certification as appropriate to ensure compliance.